

**A CERTIFIED TRUE COPY**

NOV 27 2006

ATTEST  
  
 FOR THE JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

FILED  
 U.S. DISTRICT COURT  
 EASTERN DISTRICT OF LA NOV - 7 2006

DOCKET NO. 1697 NOV 28 AM 11:02 FILED  
 CLERK'S OFFICE

LORETTA G. WHYTE DR

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
 LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-72)**

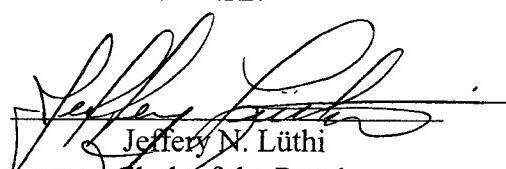
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,678 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
 Jeffery N. Lüthi  
 Clerk of the Panel

Inasmuch as no objection is  
 pending at this time, the  
 stay is lifted.

NOV 27 2006

CLERK'S OFFICE  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

**CLERK'S OFFICE  
 A TRUE COPY**

DEC 13 2006

Deputy Clerk, U.S. District Court  
 Eastern District of Louisiana  
 New Orleans, LA

Fee \_\_\_\_\_  
 Process \_\_\_\_\_  
 Dktd 2010  
 CtRmDep 8986  
 Doc. No. 8986

**SCHEDULE CTO-72 - TAG-ALONG ACTIONS  
DOCKET NO. 1657  
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
ALABAMA NORTHERN ALN 2 06-2060	Arnold Ragland v. Merck & Co., Inc.	06-10586
CALIFORNIA CENTRAL CAC 2 06-6648	Harry Deffenbaugh, et al. v. Merck & Co., Inc., et al.	06-10587
CALIFORNIA EASTERN CAE 2 06-2215	Emma Miguel v. Merck & Co., Inc., et al. Opposed 11/21/06	06-10588
CAE 2 06-2275	Sandra Martin v. Merck & Co., Inc.	06-10589
CAE 2 06-2281	Maria Martinez v. Merck & Co., Inc., et al.	
CALIFORNIA NORTHERN CAN 3 06-6183	Audrey C. Fletcher, et al. v. Merck & Co., Inc.	06-10590
CAN 4 06-6471	Ramesses Sadat, et al. v. Merck & Co., Inc.	06-10591
CAN 4 06-6492	Patrick O'Donnell, et al. v. Merck & Co., Inc.	06-10592
CALIFORNIA SOUTHERN CAS 3 06-2038	David J. Hernandez v. Merck & Co., Inc., et al.	Opposed 11/21/06
CAS 3 06-2259	Michelle McMahon v. Merck & Co., Inc., et al.	Opposed 11/20/06
CAS 3 06-2260	Darren McMahon v. Merck & Co., Inc., et al.	Opposed 11/20/06
FLORIDA MIDDLE FLM 2 06-551	Joyce Ross v. Merck & Co., Inc.	06-10593
FLM 3 06-879	Evelyn L. Jacobs, etc. v. Merck & Co., Inc.	06-10594
FLM 5 06-376	Donald Humphrey v. Merck & Co., Inc., et al.	06-10595
FLM 8 06-1900	Linda Hayes, et al. v. Merck & Co., Inc., et al.	06-10596
FLM 8 06-1901	Charmaine Haylock v. Merck & Co., Inc., et al.	06-10597
FLM 8 06-1947	David Kirk, et al. v. Merck & Co., Inc., et al.	06-10598
FLORIDA SOUTHERN FLS 1 06-22290	Edward Bronson, et al. v. Merck & Co., Inc.	06-10599
FLS 9 06-80976	Charles Miceli, et al. v. Merck & Co., Inc., et al.	06-10600
IOWA NORTHERN IAN 3 06-3063	Barbara Furman, et al. v. Merck & Co., Inc.	06-10601
IAN 5 06-4084	Bruce Nehring, et. al. v. Merck & Co., Inc.	06-10602
IAN 5 06-4086	Gary Junge, et al. v. Merck & Co., Inc.	06-10603
IAN 5 06-4088	Ronald Dean Jenkins, et al. v. Merck & Co., Inc.	06-10604
IAN 5 06-4093	Alan Gernhart, etc. Merck & Co., Inc.	06-10605
IOWA SOUTHERN IAS 4 06-512	William L. Losee, et al. v. Merck & Co., Inc.	06-10606
IAS 4 06-513	Norman L. Parker, et al. v. Merck & Co., Inc.	06-10607
IAS 4 06-515	Lavere Smith, etc. v. Merck & Co., Inc.	06-10608
IDAHO ID 2 06-414	Janice Chapin v. Merck & Co., Inc.	06-10609
ID 2 06-415	Norma Green v. Merck & Co., Inc.	06-10610
ID 2 06-416	William Glassman v. Merck & Co., Inc.	06-10611
ID 2 06-419	George Herman v. Merck & Co., Inc.	06-10612
ID 2 06-426	Alice M. Rankin, et al. v. Merck & Co., Inc.	06-10613

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**EDLA**  
**SEC. L/3**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
ILLINOIS NORTHERN		
ILN 1 06-5453	Robert Buck, et al. v. Merck & Co., Inc.	06-10614
ILN 1 06-5500	Randy Powell v. Merck & Co., Inc.	06-10615
ILN 1 06-5609	Denise Townsend, et al. v. Merck & Co., Inc.	06-10616
KANSAS		
KS 2 06-2434	Ruby Shannon v. Merck & Co., Inc.	06-10617
KS 2 06-2437	Wilma J. Harden v. Merck & Co., Inc.	06-10618
KS 2 06-2438	Ronald R. Cain, et al. v. Merck & Co., Inc.	06-10619
KS 2 06-2443	Kathleen Casanova, etc. v. Merck & Co., Inc.	06-10620
KENTUCKY WESTERN		
KYW 3 06-521	Cynthia Chesser, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
MINNESOTA		
MN 0 06-4015	Corinne W. Tomlinson, etc. v. Merck & Co., Inc.	06-10621
MN 0 06-4022	Marsha Anderson, et. al. v. Merck & Co., Inc., et al.	06-10622
MN 0 06-4024	Marjorie E. Burch, et al. v. Merck & Co., Inc., et al.	06-10623
MN 0 06-4025	Willilam Cross, et al. v. Merck & Co., Inc., et al.	06-10624
MN 0 06-4118	Elaine Masiuk, et al. v. Merck & Co., Inc., et al.	06-10625
MN 0 06-4121	Edward L. Paduano, et al. v. Merck & Co., Inc., et al.	06-10626
MN 0 06-4136	Daniel L. Gebel v. Merck & Co., Inc.	06-10627
MN 0 06-4137	Donna Lochthowwe, et al. v. Merck & Co., Inc.	06-10628
MN 0 06-4162	Donald J. Ando, et al. v. Merck & Co., Inc., et al.	06-10629
MN 0 06-4168	Marlene Alcobendas, et al. v. Merck & Co., Inc.	06-10630
MISSISSIPPI SOUTHERN		
MSS 3 06-590	Elvis P. Anderson v. Merck & Co., Inc.	06-10631
NEBRASKA		
NE 8 06-653	Randal Reese v. Merck & Co., Inc.	06-10632
NEVADA		
NV 2 06-1313	Albertine Avant, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
NV 2 06-1317	Buddy Batiz, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
NV 2 06-1318	Richard Booth, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
NV 2 06-1319	Don Chapman, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
NV 2 06-1320	Norma Coon, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
NV 2 06-1323	Ralph Cox, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
NEW YORK EASTERN		
NYE 1 06-5390	Ruth Kelly v. Merck & Co., Inc.	06-10633
NEW YORK NORTHERN		
NYN 3 06-1200	Melvin Ackerman, et al. v. Merck & Co., Inc.	06-10634
NYN 3 06-1201	Larue E. Brower, et al. v. Merck & Co., Inc.	06-10635
NYN 3 06-1202	Janet G. Butts, et al. v. Merck & Co., Inc.	06-10636
NYN 3 06-1205	Patricia S. Curtis, et al. v. Merck & Co., Inc.	06-10637
NYN 3 06-1207	Lula Davis, et al. v. Merck & Co., Inc.	06-10638
NYN 3 06-1210	David Dunagan, et al. v. Merck & Co., Inc.	06-10639
NYN 3 06-1211	Frederick D. Emhof, et al. v. Merck & Co., Inc.	06-10640
NYN 3 06-1216	Bonnie J. Galloway v. Merck & Co., Inc.	06-10641
NYN 3 06-1220	Joseph Mazzoni v. Merck & Co., Inc.	06-10642
NYN 3 06-1221	Mary E. Myers v. Merck & Co., Inc.	06-10643
NYN 3 06-1222	Charles S. Pulaski, et al. v. Merck & Co., Inc.	06-10644
NYN 3 06-1225	Edna M. Strobeck v. Merck & Co., Inc.	06-10645
NYN 5 06-1204	Marguerite Cesarini v. Merck & Co., Inc.	06-10646

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
NYN 5 06-1214	James E. Ferris, Jr. v. Merck & Co., Inc.	06-10647
NYN 5 06-1215	Paul C. Fleming v. Merck & Co., Inc.	06-10648
NYN 5 06-1217	Nora O. James, et al. v. Merck & Co., Inc.	06-10649
NYN 6 06-1198	Carmela E. Abbott, et al. v. Merck & Co., Inc.	06-10650
NYN 6 06-1203	Warren A. Canary v. Merck & Co., Inc.	06-10651
NYN 6 06-1209	Gouri Dey, et al. v. Merck & Co., Inc.	06-10652
NYN 6 06-1212	Fred L. Farewege v. Merck & Co., Inc.	06-10653
NYN 6 06-1218	John R. Lappin, et al. v. Merck & Co., Inc.	06-10654
NYN 6 06-1219	Patricia B. Mahanna v. Merck & Co., Inc.	06-10655
NYN 6 06-1223	Douglas A. Snyder, etc. v. Merck & Co., Inc.	06-10656
NYN 6 06-1224	Richard J. Stedman v. Merck & Co., Inc.	06-10657
NYN 6 06-1228	Steven M. True v. Merck & Co., Inc.	06-10658
NYN 6 06-1229	Carla T. Wiater, et al. v. Merck & Co., Inc.	06-10659
<b>OHIO NORTHERN</b>		
OHN 1 06-2512	Fred Nagle v. Merck & Co., Inc.	06-10660
OHN 1 06-2513	Marion M. Lockett, etc. v. Merck & Co., Inc.	06-10661
OHN 1 06-2514	Velma Latevoli-Cogburn v. Merck & Co., Inc.	06-10662
OHN 1 06-2515	Helen Elizabeth Gerber v. Merck & Co., Inc.	06-10663
OHN 1 06-2516	George Hill, et al. v. Merck & Co., Inc.	06-10664
<b>OHIO SOUTHERN</b>		
OHS 2 06-851	Renya Lutz, et al. v. Merck & Co., Inc., et al.	06-10665
OHS 2 06-877	Donald Gooch, et al. v. Merck & Co., Inc., et al.	06-10666
<b>OKLAHOMA EASTERN</b>		
OKE 6 06-435	Elbert Williams v. Merck & Co., Inc.	06-10667
OKE 6 06-439	Judy C. Kelly v. Merck & Co., Inc.	06-10668
OKE 6 06-440	Audrey Leding v. Merck & Co., Inc.	06-10669
<b>OKLAHOMA NORTHERN</b>		
OKN 4 06-559	Allen Williams v. Merck & Co., Inc.	06-10670
OKN 4 06-560	Bob Likam v. Merck & Co., Inc.	06-10671
OKN 4 06-561	<del>Wanda Ferrell, etc. v. Merck &amp; Co., Inc., et al.</del>	Opposed 11/20/06
<b>OKLAHOMA WESTERN</b>		
OKW 5 06-1101	Delbert B. Luginbill v. Merck & Co., Inc.	06-10672
OKW 5 06-1106	Yolanda M. Carter v. Merck & Co., Inc.	06-10673
OKW 5 06-1118	Kenneth Hartin v. Merck & Co., Inc.	06-10674
OKW 5 06-1155	Julia L. Stokes v. Merck & Co., Inc.	06-10675
OKW 5 06-1159	Cecil Pirrong v. Merck & Co., Inc.	06-10676
<b>PENNSYLVANIA EASTERN</b>		
PAE 2 06-4500	Gloria Pierose v. Merck & Co., Inc., et al.	06-10677
PAE 2 06-4520	Ersell Mangum v. Merck & Co., Inc.	06-10678
PAE 2 06-4521	Sidney Snipes v. Merck & Co., Inc.	06-10679
<b>PENNSYLVANIA WESTERN</b>		
PAW 2 06-1371	Angela Jean Conti v. Merck & Co., Inc.	06-10680
<b>TENNESSEE EASTERN</b>		
TNE 1 06-212	Lee Riddle, et al. v. Merck & Co., Inc.	06-10681
<b>TEXAS NORTHERN</b>		
TXN 3 06-1844	Roberta Hoag, et al. v. Richardson Hospital Authority, et al.	06-10682
TXN 3 06-1870	Nancy C. Moltenbrey v. Merck & Co., Inc.	06-10683

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<b>TEXAS SOUTHERN</b>		
TXS 1 06-165	Blanca D. Jimenez v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 1 06-171	Veronica Zamora v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 1 06-173	Mildred Elizabeth Dodd, et al. v. Merck & Co., Inc.	
TXS 1 06-174	Ben Longoria v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 1 06-175	Celia M. Sanchez v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 4 06-3191	Alison Nettles, et al. v. Merck & Co., Inc., et al.	Opposed 11/22/06
TXS 5 06-147	Edward M. Steele v. Merck & Co., Inc., et al.	Opposed 11/20/06
TXS 7 06-288	Petra Ybarra v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-289	Luis Cantu v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-295	Emma Cuellar v. Memrek & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-296	Maria C. Cardenas v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-297	Gloria Masconro v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-308	Maria Gloria Ybarra v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-311	Aida Vasquez v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-312	Irma Solis v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-315	Francisca Villarreal v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-316	Elma Martinez v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXS 7 06-317	Elvira Serna v. Merck & Co., Inc., et al.	Opposed 11/17/06
<b>TEXAS WESTERN</b>		
TXW 1 06-804	Ina M. Teller v. Merck & Co., Inc., et al.	Opposed 11/17/06
TXW 1 06-849	James Townsley v. Merck & Co., Inc., et al.	Opposed 11/17/06
<b>VIRGINIA EASTERN</b>		
VAE 3 06-645	Sue K. Moorefield, et al. v. Merck & Co., Inc.	
<b>WEST VIRGINIA NORTHERN</b>		
WVN 5 06-127	Kirk Scott v. Merck & Co., Inc.	06-10686
WVN 5 06-129	Patricia R. Farrall v. Merck & Co., Inc.	06-10687
<b>WEST VIRGINIA SOUTHERN</b>		
WVS 1 06-891	Loretta Semenske v. Merck & Co., Inc.	06-10688